



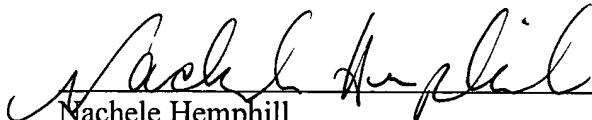
DAG #1

## CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Box: DAC  
Commissioner for Patents  
Washington, D.C. 20231**

on 3-26-03.

  
Nachele Hemphill

In Re Application of:

Underbrink, et al.

Serial No.: 09/164,432

Filed: September 30, 1998

Group Art Unit: 2859

Examiner: Not Assigned

Docket No.: 51933-1040

RECEIVED  
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OFFICE OF PETITIONS

**For: Using a Low Frequency Timer to Restore Timing to a High Frequency Timer**

The following is a list of documents enclosed:

- Return Postcard
- Petition to Revive
- Copy of Notice to File Missing Parts
- Copy of Response to Notice to File Missing Parts
- Copy of Combined Declaration and Power of Attorney
- Power of Attorney By Assignee of Entire Interest
- Certificate Under 37 C.F.R. §3.73(b)
- Exhibits A, B, C and D
- Credit Card Payment Form Authorizing the Amount of \$1,430.00

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.



09060/075001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Paul Underbrink *et al.*

Serial No: 09/164,432

Filed: September 30, 1998

For: USING A LOW FREQUENCY  
TIMER TO RESTORE TIMING  
TO A HIGH FREQUENCY  
TIMER

GROUP ART UNIT: 2859

EXAMINER: NOT ASSIGNED

## RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231  
Attention: Box Missing Parts

Dear Sir:

Responsive to the Notice to File Missing Parts of Application under 37 CFR 1.53(b) allegedly mailed on October 19, 1998 (a copy of which is enclosed), Applicant submits herewith the following:

- A Combined Declaration and Power of Attorney in compliance with 37 CFR 1.63.
- Payment of the surcharge of \$130.00 for late filing of the declaration.

It is understood that this perfects the application and no additional papers or filing fees are required. If there are any other charges, or any credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

FISH &amp; RICHARDSON P.C.

John D. Cowart

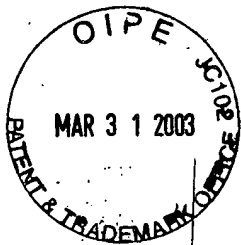
Reg. No. 38,415

Dated: 9/10/994225 Executive Square, Suite 1400  
La Jolla, California 92037  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099RECEIVED  
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101410.LJ1

Date of Deposit

September 10, 1999  
I hereby certify under 37 C.F.R. 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/16/98 432 09/30/98 UNDERBRIK F 09060/105000

0232/1019

JOHN LAND  
FISH & RICHARDSON  
ATTORNEY EXECUTIVE SUITE 1400  
LA JOLLA CA 92037

NOT ASSIGNED

3359

DATE MAILED:

10/19/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.135(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☐ non-small entity is \$ 130.00

- ☐ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for 3 independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☐ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 7. Your filing was mailed in error because your check was returned without payment.  
☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."  
☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center

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04/01/2003 AWBDAF1 00000137 09164432

130.00 DP

02-FC:1051